State Governments. The Central Government is not concerned with any of the functions in this regard.

At the High Court in Supreme Court level, the appointment of the Judges of Supreme Court and High Courts are made under articles 124 and 217 of the Constitution of India respectively, which do not provide for reservation for any caste or class of persons. The Government have, however, addressed letters to the Chief Ministers of the States and the Chief Justices of the High Courts, from time to time, requesting them to locate persons from the Bar belonging to Scheduled Castes, Scheduled Tribes, Other Backward Classes, Minorities and amongst Women who are suitable for appointment as High Court Judges.

Increase in strength of judges

2857. SHRI AMAR SINGH:
SHRI ABU ASIM AZMI:

Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether Government's attention has been drawn to a recent statement of Hon'ble Chief Justice of India to the effect that the country had only 12,000 Judges against the sanctioned strength of 14,000 and as a result there of 3.5 crores cases are pending in lower courts, 37 lakhs in High Courts and 46,000 in the Supreme Court; and

(b) if so, what action Government proposes to take to increase the strength of Judges both at the lower Judiciary and in the High Courts and by when?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) Government's attention to shortage of Judges and pendency in courts has been drawn in different fora. The Law Commission in its 120th Report recommended that the strength of judges per million population may be increased from 10.5 to 50 judges. The present judge strength in India is 14 per million population (approx.). Government has already increased the Judge strength in the High Courts by 152.

With regard to subordinate judiciary, the Supreme Court, in its judgment of 21st March, 2002, in All India Judges' Association & Ors. *Vs.* Union of India & Ors., directed that an increase in the Judge strength from the existing 10.5 per 10 lakh people to 50 judges per 10 lakh people should be effected and implemented within a period of five years in a phased manner to be determined and directed by the Union Ministry of Law. The Central Government have filed an affidavit in the Supreme Court praying that the increase in judge strength in the Union Territories for which Central Government is administratively responsible be allowed based on workload and pendency of cases. The matter is *sub-judice*.

All State Governments are also party to this case. Under article 235 of the Constitution of India, the administative control over the members of subordinate judiciary in the States vests with the concerned High Court and the State Government. Accordingly, the Central Government has requested all the State Governments for taking necessary action to increase the judge strength as per the direction of the Supreme Court and also to fill up the vacant posts of judicial officers on urgent basis.

Vacant posts and pending cases

2858. SHRI SU. THIRUNAVUKKARASAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) how many posts of Judges are vacant in different High Courts and Supreme Court; and

(b) the number of cases pending before the above courts which are more than two years old?

THE MINISTER OF LAW AND JUSTICE (SHRI H.R. BHARDWAJ): (a) and (b) A statement giving information about the number of posts vacant in Supreme Court and High Courts and the total number of cases pending in the Supreme Court and the High Courts as per the available information, is enclosed.

Statement

Number of posts vacant in Supreme Court and High Courts and the total number of cases pending in the Supreme Court and High Courts

SI. No.	Court	Vacancies as on 16.4.2008	Total Number of cases pending as on 30.09.2007@
	SUPREME COURT	11	46926*
	HIGH COURTS		
1.	Allahabad	27	808226
2.	Andhra Pradesh	08	147537
3.	Bombay	01	367409
4.	Calcutta	10	279318
5.	Chhattisgarh	01	74701
6.	Delhi	00	76674
7.	Gauhati	02	59339
8.	Gujarat	11	110639
9.	Himachal Pradesh	00	26781
10.	Jammu & Kashmir	03	45374
11.	Jharkhand	03	49276
12.	Karnataka	02	104237
13.	Kerala	03	115750
14.	Madhya Pradesh	00	187677
15.	Madras	01	426347
16.	Orissa	01	227752
17.	Patna	04	102165
18.	Punjab & Haryana	00	255696
19.	Rajasthan	04	212451
20.	Sikkim	01	67
21.	Uttarakhand	01	22807

*As on 31.12.2007

@Source: Supreme Court News